

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERK'S OFFICE

2006 FEB -6 A 9:23

U.S. DISTRICT COURT
DISTRICT OF MASS.
Civil Action No. 04-30125-MAP

MARK REAVES

Plaintiff(s)

v.

MASS. ARMY NATIONAL GUARD

Defendant(s)

MOTION REQUESTING STAY

In the case of Reaves v. Massachusetts Army National Guard, plaintiff Mark Reaves respectfully requests a stay of the proceedings effective **7 February 2006**, due to required mobilization to Active Duty status in the United States Army. Plaintiff Mark Reaves is in possession of Military Orders #06-008-00036 dated 8 January 2006.

This duty begins 8 February 2006 with a period of active duty of 545 days. Attached Copy of Orders.

Under the provisions of the Soldiers and Sailors Civil Relief Act plaintiff Mark Reaves respectfully requests this motion be granted and all proceedings in this matter are stayed until a period not to exceed three months following his return from Active Duty status. **Expected date of return not later than 8 August 2007. Expected date to continue with proceedings 9 August 2007 – 7 November 2007. (3 Months following return)**

I have conferred with Attorney James S. Whitcomb in an attempt to narrow the issue of this motion. He expressed no objection to the allowance of this motion

This motion is not meant in any way to cause undue delay. Your attention to this matter is greatly appreciated. This statement is true to the best of my knowledge under the pains and penalty of perjury.

Respectfully Submitted

6 February 2006
Date



Mark Reaves
Plaintiff, Pro Se
(646) 326-2063

Mark Reaves
59 Evers Place
Bridgeport, CT 06610

Encl

CERTIFICATE OF SERVICE

I certify that I have served notice of this motion upon the defendant's Attorney by First Class Certified Mail #
Served this 6th day of February 2006.

DEPARTMENT OF THE ARMY
UNITED STATES ARMY
CIVIL AFFAIRS AND PSYCHOLOGICAL OPERATIONS COMMAND (A)
FORT BRAGG, NORTH CAROLINA 28310-5200

ORDERS 06-008-00036

08 January 2006

REAVES MARK EDWARD
195 MAGLE AVE
NEW YORK, NY 10034-0000

090-58-0484 SGT
0364 CA BDE MOB UIC (WYBSTB)
PORTLAND, OR 97219-3934

You are ordered to Active Duty as a member of your Reserve Component unit for the period indicated unless sooner released or unless extended. Proceed from your current location in sufficient time to report by the date specified. You enter active duty upon reporting to unit home station.

Report to: 0364 CA BDE MOB UIC (WYBSTB), 2731 SW MULTNOMAH, PORTLAND, OR
97219-3934 Report On: 08 February 2006
Report to: Fort Bragg, Building At 3930 Carr St, Fayetteville, NC 28307 Report On:
08 February 2006
Period of active duty: 545 Days
Purpose: Mobilization for ENDURING FREEDOM (OTHER THAN HOMELAND) (2001-PRESENT)
Mobilization category code: "V"
Additional instructions: (01, 02, 03, 04, 05, 06, 08, 10, 11, 12, 14, 15, 16, 17,
28) See page 2

FOR ARMY USE

AUTHORITY: DA MOBILIZATION ORDER 986-06 DTD 06 JANUARY 2006

Accounting classification:

EML-2162010.0000 01-1100 P2W2C00 11**/12** VFRE F3203 5570 S12120
EML-2172010.0000 01-1100 P2W2C00 11**/12** VFRE F3203 5570 S12120
PD&TVL-2162020.0000 01-0000 P135198 21**/22**/25** VFRE F3203 S12120
PD&TVL-2172020.0000 01-0000 P135198 21**/22**/25** VFRE F3203 S12120

Sex: M

MDC: PME6

PMOS/AOC/ASI/LIC: 38B2

HOR: NEW YORK, NY

PERO: 02 February 1990

DOR: 29 July 2005

Security clearance: NONE

Comp: USAR

Format: 165

FOR THE COMMANDER:

* OFFICIAL *
* USACAPOC(A) *

O. T. BELLAMY JR
COL, GS
Deputy Chief of Staff, G-1

DISTRIBUTION: M1 PLUS

INDIVIDUAL CONCERNED (4)

FAMILY ASSISTANCE OFFICER (1)

MPRJ

FILE (ORIGINAL + 1)

ORDERS 06-008-00036

08 January 2006

Additional instructions:

01. Sure pay is mandatory. Soldier must bring the appropriate documentation to support the requirement to authorize sure pay to the bank.
02. Early reporting is not authorized.
03. Unaccompanied baggage shipment is not authorized.
04. Movement of household goods and dependents is not authorized.
05. Travel by privately owned vehicle is not authorized.
06. Rental car is not authorized.
07. Nontemporary storage of household goods is authorized.
08. Excess accompanied baggage is not to exceed 120 pounds.
09. Bring with you complete military clothing bag and appropriate personal items.
10. Soldier will handcarry (if available) complete MPRJ, health and dental, training, and clothing records.
11. Bring copies of rental or mortgage agreement, marriage certificate, birth certificate, birth certificate of natural children, or documentation of dependency or child support.
12. Bring copies of family care plan, wills, powers of attorney, and any other documentation affecting the soldiers pay or status.
13. Personnel requiring eye correction will bring two pairs of eyeglasses and eye inserts for a protective mask.
14. Government quarters and mess will be used.
15. Call 1-800-336-4590 (National Committee for Employer Support of the Guard and Reserve) or check online at www.esgr.org if you have questions regarding your employment/reemployment rights
16. Your family members may be eligible for TRICARE (military health care) benefits. For details call 1-888-DoD-CARE (1-888-363-2273) or go to web address <https://www.tricare.osd.mil/reserve/> or email TRICARE_help@amadd.army.mil
17. In an effort to share information between soldiers, employers and the Department of Defense on their rights, benefits and obligations, mobilized USAR soldiers are strongly encouraged to provide employer information at <https://www.dmdc.osd.mil/udpdri/owa/rc.home>
18. NA
19. NA
20. If upon reporting for active duty you fail to meet deployment medical standards (whether because of a temporary or permanent medical condition), then you may be released from active duty, returned to your prior reserve status, and returned to your home address, subject to a subsequent order to active duty upon resolution of the disqualifying medical condition. If, upon reporting for active duty, you are found to satisfy medical deployment standards, then you will continue on active duty for a period not to exceed the period specified in this order, such period to include the period (not to exceed 25 days) required for mobilization processing.